

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER  13533/48203
INTERNATIONAL APPLICATION NO. PCT/US2004/042504		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/583369</b>
INTERNATIONAL FILING DATE 17 December 2004		PRIORITY DATE(S) CLAIMED: 17 December 2003

TITLE OF INVENTION  
**DELIVERY OF DNA OR RNA VIA GAP JUNCTIONS FROM HOST CELLS TO TARGET CELLS AND A CELL-BASED DELIVERY SYSTEM FOR ANTISENSE OR siRNA**

APPLICANT(S) FOR DO/EO/US  
**Peter R. BRINK et al.**

Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification and marked-up copy thereof.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: 1<sup>st</sup> Page of the Published Application, an International Search Report, and a Written Opinion of the International Searching Authority.

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10/583369		PCT/US2004/042504		13533/48203	
The following fees are submitted:					
21. <input checked="" type="checkbox"/> Basic National Fee .....				\$ 300.00	\$ 300.00
22. <input checked="" type="checkbox"/> Examination Fee					
—If International preliminary exam report prepared by USPTO and all claims satisfy provisions of PCT Article 33/(1)(4).....				\$ 100.00	
—All other situations.....				\$ 200.00	\$ 200.00
23. <input checked="" type="checkbox"/> Search Fee					
—Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as ISA.....				\$ 100.00	
—International Search Report prepared and provided to the Office.....				\$ 400.00	\$ 400.00
—All other situations.....				\$ 500.00	
TOTAL OF (21), (22), & (23) =					\$ 900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets 16	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100	/50=		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	23 - 20 =	3	x \$50.00	\$ 150.00	
Independent Claims	5 - 3 =	2	x \$200.00	\$ 400.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1450.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$ 1450.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1450.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property.				\$	
TOTAL FEES ENCLOSED =				\$ 1450.00	
				Amount to be refunded:	\$
				Amount to be charged	\$1450.00
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of <b>\$1450.00</b> to cover the above fees. A duplicate of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:  KENYON &amp; KENYON LLP  One Broadway  New York, New York 10004  <b>CUSTOMER NO. 26646</b></p> <p><i>Teresa Lavenue</i>  SIGNATURE  Teresa A. Lavenue (Reg. No. 47,737)  NAME  June 19, 2006  DATE</p>					

APPLICATION COVER SHEET

**10/583369**

**AP3 Rec'd PCT/PTO 19 JUN 2005**

**INVENTOR(S):** Peter R. Brink  
Michael R. Rosen  
Richard B. Robinson  
Ira S. Cohen  
Arthur Grollman

**TITLE:** DELIVERY OF DNA OR RNA VIA GAP JUNCTIONS FROM  
HOST CELLS TO TARGET CELLS AND A CELL-BASED  
DELIVERY SYSTEM FOR ANTISENSE OR siRNA

**APPLICATION TYPE:** NON-PROVISIONAL

**CUSTOMER NO.:** 26646